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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/447,256	11/23/1999	NOBUYOSHI NAKAJIMA	2091-0205P	3582

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EXAMINER
LAROSE, COLIN M

ART UNIT	PAPER NUMBER
2623	5

DATE MAILED: 08/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/447,256	Applicant(s) NAKAJIMA, NOBUYOSHI	
	Examiner Colin M. LaRose	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-6 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-6 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 3, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,109,281 by Kobori et al. ("Kobori").

Regarding claim 1, Kobori discloses an image processing method (figure 3) for obtaining a layout image signal representing a layout image, in which a plurality of person images are laid out, from a plurality of original image signals, each of the original image signals representing a person image, in which a face pattern of a person is embedded, the method comprising the steps of:

i) detecting face information from each of the original image signals, said face information representing a position of the face pattern of the person in the person image represented by each original image signal;

[In figure 3, a camera is set to image the left of two face images ("c-1", figure 2). The left face image signal is stored in memory, and the position of the face is detected (column 4, lines 50-51). This process is also repeated for the right face image.]

ii) performing a face pattern normalizing process on each of the original image signals and in accordance with said detected face information, a plurality of normalized image signals being obtained from said face pattern normalizing process;

[After the position of the left face image signal is detected, it is determined whether the positioning of the object is satisfactory, and based on the determination that the positioning is unsatisfactory, the imaging conditions are adjusted, and the adjusted image signal is stored (column 4, lines 53-57). This process repeats until a satisfactory positioning of the face image signal is attained. In other words, in accordance with the detected positioning information, the face image signal is continually adjusted until it becomes normalized in memory according to a predetermined condition. This normalizing process is also repeated for the right face image signal.]

iii) laying out a plurality of images, which are represented by said normalized image signals, in a predetermined layout.

[After the normalization of both of the face image signals, the face images have been layed out in a format suitable for printing, and a print command is issued (column 4, lines 64-67). Kobori does not expressly disclose obtaining a layout image signal representing the thus formed layout image. However, the layout signal is implicitly obtained, since the layout image is printed by a single print command.]

Regarding claims 3 and 5, Kobori discloses using a computer-readable recording medium to perform the above steps (computer 7, memory 10, and monitor 15 of figure 1).

4. Claims 2, 4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobori in view of U.S. Patent 6,424,752 by Katayama et al. ("Katayama").

Regarding claims 2, 4, and 6, Kobori is silent to performing the face pattern normalization by utilizing affine transformation.

Katayama discloses and method for laying out a plurality of images into a single synthesized image signal (see Abstract and figure 3). In particular, Katayama discloses employing coordinate information of the plurality of images to set a positional relationship. To lay out (synthesize) the images, Katayama discloses utilizing an affine transformation of the coordinates (column 7, lines 56-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kobori by Katayama to utilize affine transformations to place the image signals in normalized positions, since Katayama teaches that using affine coordinate transformations to lay out a plurality of image signals can help precisely align the image signals "without a large, permanent memory area being required for the storage of image data to be synthesized" (Abstract, lines 19-20).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Colin M. LaRose whose telephone number is (703) 306-3489.

The examiner can normally be reached Monday through Thursday from 8:00 to 5:30. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au, can be reached on (703) 308-6604. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600 Customer Service Office whose telephone number is (703) 306-0377.

CML
Group Art Unit 2623
11 August 2002